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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,172	03/19/2004	Yoshifumi Sanuki	1046.1319	6771
21171	7590	11/28/2007		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER RUBIN, BLAKE J	
			ART UNIT 4152	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/804,172

Applicant(s)

SANUKI ET AL.

Examiner

Rubin Blake

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☒ Certified copies of the priority documents have been received in Application No. 10/804,172.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/20/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-21 are pending in this application.
2. This application claims priority to Japanese Patent Application No. 2003-208295, filed 8/21/2003.

Specification Objections

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: System, method, and program for autonomously assigning identifier assignments for secure communication on a shared network.
4. Applicant is reminded of the proper language and format for an abstract of the disclosure. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

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5. The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

6. The abstract of the disclosure is objected to because it exceeds 150 words. Correction is required. See MPEP § 608.01(b).

Drawings Objections

7. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: S13 and S23 in Figs 4 and 5, respectively.

8. The drawings are objected to because the network bus in Fig. 1 is indicated using, "N," each element referenced in the drawings must be identified by number accompanied by a corresponding numerical reference in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an

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amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency.

Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims are 1-21 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. With respect to claims 1, 10, and 16 it is unclear as to what is being claimed as the invention, specifically the interval, "within a predetermined duration of time," that necessitates the, "assignment of the identifier to the communication device." In order to distinctly claim the subject matter which is regarded as the invention, it is incumbent that

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the events that indicate the beginning and end of the, "duration of time," be stated clearly and definitively.

12. With respect to claim 3, 12, and 18 it is unclear as to what is being claimed as the invention, specifically, "as a transmission source of the distribution request information," renders the claim indefinite. In order to distinctly claim the subject matter which is regarded as the invention, it would be prudent to strike this phrase from the claim. At best, given the lack of clarity within the claim itself, it is the belief of the examiner that the claim conveys the concepts taught in the specification without the aforementioned phrase.

13. With respect to claims 3, 12, and 18, the claims recite the limitation "the distribution request information" without prior reference to any equivalent element. There is insufficient antecedent basis for this limitation in the claim, it should read, "a distribution request for information."

14. There is insufficient antecedent basis for limitations throughout the claims which result in a failure to conform to current U.S. practice. They appear to be a literal translation into English from a foreign document and contain several grammatical and idiomatic errors, which cause confusion with regards to proper antecedent basis, and therefor compound problems with the indefinite nature of the claims as they are currently recited.

15. As an example, with respect to claim 3, the first recitation, "of identifier distribution," should be recited as, "of an identifier distribution." Doing so established the necessary antecedent basis to reference later elements as, "the identifier distribution." It is incumbent upon the applicant to follow this convention throughout the recitation of their claims. All new elements presented a claim for the first time should be preceded by, "a," or "an," where appropriate, while later references to elements should be preceded by, "the," or said," elements. Dependent claims may properly reference elements introduced in the independent claim which it is based off of, but care should be taken not to cite elements introduced in neighboring independent claims (see claim 7, which recites, "the term condition," an element that was introduced in claim 4, as opposed to the independent claim 3 which it is dependent upon), which is found throughout the claims. Proper amendments to the claims must be made with regards to this practice.

16. All other claims are dependent on the aforementioned independent claims, and therefor are rejected on the grounds stated above, respectively.

Claim Rejections - 35 USC § 102

17. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

18. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Bahlmann (U.S. Patent No. 6,578,074).

19. With respect to claim 1, Bahlmann discloses an identifier assignment apparatus for assigning an identifier to a communication device which uses a unique identifier to perform communication (column 3, lines 14-29), comprising: a managing unit that manages the communication device (column 4, line 61); and a control unit that receives a request from the communication device, and assigns an identifier to the communication device in response to the request if the request is within a predetermined duration of time from the assignment of the identifier to the communication device (column 5, lines 40-67; column 6, lines 1-3).

20. With respect to claim 2, Bahlmann discloses an identifier assignment apparatus according to claim 1, wherein the control unit always assigns the identifier in response to requests from an approved communication device (column 8, lines 37-45).

21. With respect to claim 3, Bahlmann discloses an identifier assignment apparatus for assigning an identifier to a communication device which uses a unique identifier to perform communication (column 3, lines 14-29), comprising: a lease condition storage

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unit that stores lease conditions corresponding to the communication device indicating conditions relating to approval/prohibition of identifier distribution (column 8, lines 37-45); an initial control unit that, when the distribution request information is received from the communication device, approves the identifier distribution to the communication device and stores initial lease conditions corresponding to the communication device into lease condition storage unit, if the lease conditions corresponding to the communication device are not stored in the lease condition storage unit (column 6, lines 58-67; column 7, lines 1-15; column 8, lines 16-20); a condition modification unit that modifies the lease conditions corresponding to communication device stored in the lease condition storage unit; and an identifier distribution approval/prohibition control unit that controls approval/prohibition of identifier distribution to the communication device as a transmission source of the distribution request information, based on the lease conditions corresponding to the communication device stored in the lease condition storage unit (column 6, lines 58-67; column 7, lines 1-47).

22. With respect to claim 4, Bahlmann discloses an identifier assignment apparatus according to claim 3, in which the initial lease conditions include a term condition during which the identifier can be distributed (column 5, lines 59-67; column 6, lines 1-3), and the condition modification unit includes: a unit that determines whether or not the term condition in the initial lease conditions stored in the lease condition storage unit corresponding to the communication device is satisfied when the distribution request information is received from the communication device (column 9, lines 15-24); and a

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lease prohibition setting unit that modifies the initial lease conditions to lease conditions for prohibiting the identifier distribution when it is determined that the term condition is not satisfied (column 2, lines 7-10).

23. With respect to claim 5, Bahlmann discloses an identifier assignment apparatus according to claim 3, in which the condition modification unit includes unit that modifies the initial lease conditions corresponding to the communication device to a set of normal lease conditions in which identifier distribution is determined in advance based on information relating to execution of specific processing from the communication device (column 6, lines 58; column 7, lines 1-49).

24. With respect to claim 6, Bahlmann discloses an identifier assignment apparatus according to claim 3, in which the lease conditions include the term condition during which the identifier can be distributed (column 5, lines 59-67; column 6, lines 1-3), and the condition modification unit includes a unit that extends for a predetermined duration of time the term condition stored in the lease condition storage unit corresponding to the communication device when the distribution request information is received from the communication device (column 11, lines 14-37).

25. With respect to claim 7, Bahlmann discloses an identifier assignment apparatus according to claim 3, in which the lease conditions include the term condition during which the identifier can be distributed (column 5, lines 59-67; column 6, lines 1-3), and

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the condition modification unit includes: a unit that determines whether or not the term condition in the lease conditions stored in the lease condition storage unit is satisfied; and a unit that deletes from the lease condition storage unit those lease conditions for which it is determined that the term condition is not satisfied (column 12, lines 5-12).

26. With respect to claim 8, Bahlmann discloses an identifier assignment apparatus according to claim 3, in which the condition modification unit includes unit that modifies the lease conditions corresponding to the communication device stored in the lease condition storage unit based on the information relating to the execution of the specific processing from a management device (column 5, lines 58-67; column 7, lines 1-10; column 11, lines 14-37).

27. With respect to claim 9, Bahlmann discloses an identifier assignment apparatus according to claim 1, wherein the identifier is IP address.

28. With respect to claim 10, Bahlmann discloses an identifier assignment method for assigning an identifier to a communication device which uses a unique identifier to perform communication (column 3, lines 14-29), comprising: a managing step of managing the communication device (column 4, line 61); and a control step of receiving a request from the communication device, and assigning an identifier to the communication device in response to the request if the request is within a predetermined duration of time from the assignment of the identifier to the communication device (column 5, lines 40-67; column 6, lines 1-3).

29. With respect to claim 11, Bahlmann discloses an identifier assignment method according to claim 10, wherein the control step always assigns the identifier in response to requests from an approved communication device (column 8, lines 37-45).

30. With respect to claim 12, Bahlmann discloses an identifier assignment method for assigning an identifier to a communication device which uses a unique identifier to perform communication (column 3, lines 14-29), comprising: a lease condition storage step of storing lease conditions corresponding to the communication device indicating conditions relating to approval/prohibition of identifier distribution; an initial control step of, when the distribution request information is received from the communication device, approving the identifier distribution to the communication device and storing initial lease conditions corresponding to the communication device by lease condition storage step, if the lease conditions corresponding to the communication device are not stored by the lease condition storage step (column 6, lines 58-67; column 7, lines 1-15; column 8, lines 16-20); a condition modification step of modifying the lease conditions corresponding to communication device stored by the lease condition storage step; and an identifier distribution approval/prohibition control step of controlling approval/prohibition of identifier distribution to the communication device as a transmission source of the distribution request information, based on the lease conditions corresponding to the communication device stored by the lease condition storage step (column 6, lines 58-67; column 7, lines 1-47).

31. With respect to claim 13, Bahlmann discloses an identifier assignment method according to claim 12, in which the initial lease conditions include a term condition during which the identifier can be distributed (column 5, lines 59-67; column 6, lines 1-3), and the condition modification step includes: a step of determining whether or not the term condition in the initial lease conditions stored by the lease condition storage step corresponding to the communication device is satisfied when the distribution request information is received from the communication device (column 9, lines 15-24); and a lease prohibition setting step of modifying the initial lease conditions to lease conditions for prohibiting the identifier distribution when it is determined that the term condition is not satisfied (column 2, lines 7-10).

32. With respect to claim 14, Bahlmann discloses an identifier assignment method according to claim 12, in which the condition modification step includes a step of modifying the initial lease conditions corresponding to the communication device to a set of normal lease conditions in which identifier distribution is determined in advance based on information relating to execution of specific processing from the communication device (column 6, lines 58; column 7, lines 1-49).

33. With respect to claim 15, Bahlmann discloses an identifier assignment method according to claim 12, in which the lease conditions include the term condition during which the identifier can be distributed (column 5, lines 59-67; column 6, lines 1-3), and

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the condition modification step includes a step of extending for a predetermined duration of time the term condition stored by the lease condition storage step corresponding to the communication device when the distribution request information is received from the communication device (column 11, lines 14-37).

34. With respect to claim 16, Bahlmann discloses a storage medium storing a program for assigning an identifier to a communication device which uses a unique identifier to perform communication (column 3, lines 14-29), the program comprising: a managing step of managing the communication device (column 4, line 61); and a control step of receiving a request from the communication device, and assigning an identifier to the communication device in response to the request if the request is within a predetermined duration of time from the assignment of the identifier to the communication device (column 5, lines 40-67; column 6, lines 1-3).

35. With respect to claim 17, Bahlmann discloses a storage medium according to claim 16, wherein the control step always assigns the identifier in response to requests from an approved communication device (column 8, lines 37-45).

36. With respect to claim 18, Bahlmann discloses a storage medium storing a program for assigning an identifier to a communication device which uses a unique identifier to perform communication (column 3, lines 14-29), the program comprising: a lease condition storage step of storing lease conditions corresponding to the

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communication device indicating conditions relating to approval/prohibition of identifier distribution; an initial control step of, when the distribution request information is received from the communication device, approving the identifier distribution to the communication device and storing initial lease conditions corresponding to the communication device by lease condition storage step, if the lease conditions corresponding to the communication device are not stored by the lease condition storage step (column 6, lines 58-67; column 7, lines 1-15; column 8, lines 16-20); a condition modification step of modifying the lease conditions corresponding to communication device stored by the lease condition storage step; and an identifier distribution approval/prohibition control step of controlling approval/prohibition of identifier distribution to the communication device as a transmission source of the distribution request information, based on the lease conditions corresponding to the communication device stored by the lease condition storage step (column 6, lines 58-67; column 7, lines 1-47).

37. With respect to claim 19, Bahlmann discloses a storage medium according to claim 18, in which the initial lease conditions include a term condition during which the identifier can be distributed (column 5, lines 59-67; column 6, lines 1-3), and the condition modification step includes: a step of determining whether or not the term condition in the initial lease conditions stored by the lease condition storage step corresponding to the communication device is satisfied when the distribution request information is received from the communication device (column 9, lines 15-24); and a

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lease prohibition setting step of modifying the initial lease conditions to lease conditions for prohibiting the identifier distribution when it is determined that the term condition is not satisfied (column 2, lines 7-10).

38. With respect to claim 20, Bahlmann discloses a storage medium according to claim 18, in which the condition modification step includes a step of modifying the initial lease conditions corresponding to the communication device to a set of normal lease conditions in which identifier distribution is determined in advance based on information relating to execution of specific processing from the communication device (column 6, lines 58; column 7, lines 1-49).

39. With respect to claim 21, Bahlmann discloses a storage medium according to claim 18, in which the lease conditions include the term condition during which the identifier can be distributed (column 5, lines 59-67; column 6, lines 1-3), and the condition modification step includes a step of extending for a predetermined duration of time the term condition stored by the lease condition storage step corresponding to the communication device when the distribution request information is received from the communication device (column 11, lines 14-37).

40. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Scott Patent No. 6,195,706

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- b. Beser Patent No. 6,170,061
- c. Davis et al Patent No. 6,088,805
- d. Wong et al Patent No. 6,073,178
- e. Massarani Patent No. 6,393,484
- f. Necka et al Patent No. 6,952,428
- g. Bahlmann Patent No. 6,859,826
- h. Bahlmann et al Patent No. 5,884,024

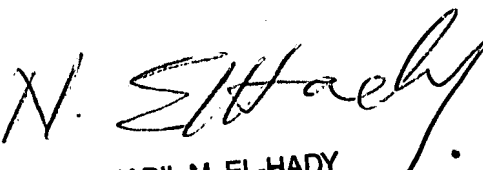
41. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rubin Blake whose telephone number is (571) 270-3802. The examiner can normally be reached on M-R: 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571) 272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BJR
11/20/2007


NABIL M. EL-HADY
SUPERVISORY PATENT EXAMINER